

United States District Court
Middle District of Florida
Jacksonville Division

H. K. EDGERTON ET AL.,

Plaintiffs,

v.

NO. 3:20-cv-941-BJD-PDB

CITY OF ST. AUGUSTINE, FLORIDA,

Defendant.

Order

The plaintiffs move for leave to file a second amended complaint to allege additional facts. Doc. 27. The defendant has no opposition and requests twenty-one days to respond to the new complaint. Doc. 32.

If no amendment is permitted as a matter of course, a party may amend its pleading “with the opposing party’s written consent or the court’s leave.” Fed. R. Civ. P. 15(a)(2). “The court should freely give leave when justice so requires.” *Id.*

Considering the circumstances described by the plaintiffs, the absence of opposition, and the liberal amendment standard, the Court **grants** the motion, Doc. 27. The plaintiffs must file the second amended complaint, Doc. 27-1, as a standalone docket entry by **July 8, 2021**. The defendant must respond to the second amended complaint by **July 29, 2021**.

Because a new pleading will be filed, the Court **denies** the motion to dismiss the amended complaint, Doc. 15, without prejudice.

Ordered in Jacksonville, Florida, on July 7, 2021.

A handwritten signature in black ink, appearing to read 'P. D. Barksdale', is positioned above a horizontal line.

PATRICIA D. BARKSDALE
United States Magistrate Judge